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November 10, 1999 EX PARTE OR LATE FILED

Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals
445 12th Street, SW
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Via Hand Delivery

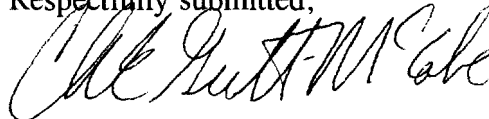
**Re: Notice of *Ex Parte* Communications, Revision of the Commission's Rules
to Ensure Compatibility with Enhanced 911 Emergency Calling Systems,
CC Docket No. 94-102**

Dear Ms. Salas:

In accordance with Section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, notice is hereby given to an *ex parte* presentation regarding the above-captioned proceeding. On Tuesday, November 9, 1999, Bruce Beard, Dan Foley and Susan Wichmann of SBC Wireless and I held a meeting with Bryan Tramont of Commissioner Furchtgott-Roth's office. The purpose of the meeting was to discuss cost recovery for E911 implementation. The attached material contains information discussed during the meeting.

In accordance with the Commission's rules, two copies of this letter are being provided for inclusion in the Commission's docket file. If you have any question or need any additional information, please feel free to call me at the number listed above.

Respectfully submitted,



Christopher E. Guttman-McCabe

Attachments

cc: Bryan Tramont

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**FY 2000 PSAP FUNDING
STATUS AS OF AUGUST 26****APPROVED FOR PAYMENT**

	APPROVED	QUARTERLY
ARLINGTON	\$172,044.00	\$43,011.00
FAIRFAX	\$1,266,295.00	\$316,573.75
LOUDOUN	\$39,745.00	\$9,936.25
PRINCE WILLIAM	\$291,402.00	\$72,850.50
HARRISONBURG	\$36,807.00	\$9,201.75
CHARLOTTESVILLE	\$194,274.00	\$48,568.50
PORTSMOUTH	\$167,028.00	\$41,757.00
YORK	\$96,445.00	\$24,111.25
VIRGINIA BEACH	\$185,571.00	\$46,392.75
HENRICO	\$124,343.00	\$31,085.75
NEWPORT NEWS	\$203,398.00	\$50,849.50
	\$2,777,352.00	\$694,338.00

COST ESTIMATES APPROVED, AWAITING CERTIFICATION

ALEXANDRIA	\$151,147.00	\$37,786.75
RICHMOND	\$63,500.00	\$15,875.00
CHESAPEAKE	\$154,356.00	\$38,589.00
POWHATAN	\$72,005.00	\$18,001.25
CHESTERFIELD	\$98,779.00	\$24,694.75
NORFOLK	\$230,541.00	\$57,635.25
LYNCHBURG	\$129,109.00	\$32,277.25
EASTERN SHORE	\$139,664.00	\$34,916.00
NAMPTON	\$268,996.00	\$67,249.00
SUFFOLK	\$109,154.00	\$27,288.50
	\$1,417,251.00	\$354,312.75

AWAITING BOARD ACTION

SHENANDOAH	\$188,439.00	\$47,109.75
TOTAL	\$4,383,042.00	\$1,095,760.50

Virginia Wireless E-911 Services Board

Guidelines for the Submission of CMRS Carrier Cost Estimates For the Fiscal Year beginning July 1, 1999 and ending June 30, 2000

Adopted May 18, 1999

Purpose:

These guidelines have been adopted by the Virginia Wireless E-911 Services Board (the Board) in accordance with Article 6, Chapter 15 of Title 56 of the Code of Virginia. The guidelines apply to commercial mobile radio services (CMRS) providers and govern the submission of cost estimates for the fiscal year beginning on July 1, 1999 and ending June 30, 2000 (FY 2000). These guidelines do not apply to fiscal years beginning after June 30, 2000.

Guidelines for CMRS

On or before July 10, 1999, the Board shall provide copies of the letters of intent received from the public safety answering points (PSAP) along with the schedules included therein to all CMRS providers identified by the PSAP as serving the PSAP service area. Based on these letters, and such other information the CMRS provider may have at its disposal, the CMRS provider must file a cost estimate developed in accordance with these guidelines no later than September 1, 1999 to qualify for payments from the Wireless E-911 Fund (the Fund) during FY 2000. The cost estimate shall include the following.

1. The CMRS provider shall provide a detailed estimate of costs expected to be incurred during FY 2000. A Cost Recovery Worksheet is attached as a guideline. The CMRS provider shall provide information based upon the cost recovery methodology it has chosen to use:

- CMRS providers which have adopted a national pricing structure which calculates E-911 cost recovery as a fixed charge per subscriber ("capitation") based on billing address shall provide:
 - the fixed charge amount
 - the number of subscribers as of July 1, 1999 served in each area covered by the CMRS provider and the CMRS provider's resellers
 - an estimate of the rate of growth in subscribers in each PSAP service area
 - the basis of the fixed charge
 - evidence of the reasonableness of the fixed charge. (If feasible, include a comparison of what the cost estimate would be if the carrier were to seek cost recovery based on actual Virginia costs.)

Payments based on these cost estimates shall be calculated separately for each PSAP. Payments shall be calculated by multiplying the fixed charge amount by the subscriber count on July 1, 1999 (inflated by the estimated subscriber growth rate). Payment amounts shall be prorated for the number of months between the expected PSAP Phase I request and June 30, 2000.

CMRS Guidelines
Adopted May 18, 1999

- CMRS providers which have not adopted a "capitation" cost recovery method, shall provide a detailing of the estimated costs that are expected to be incurred during FY 2000, or any part thereof, based on (1) the schedules for each PSAP in the CMRS service area, and (2) the point of interconnection agreed upon by the PSAP and the CMRS provider. The Board may in its discretion require appropriate documentation supporting all costs. The CMRS provider must show how individual costs have been prorated to reflect the differing PSAP schedules.
 - CMRS providers may opt to use a combination of the two cost recovery methods.
2. No payments will be approved for costs prior to the receipt by the CMRS provider of a Phase I request for service.
 3. CMRS providers must specify which components of their cost estimates are considered confidential and protected as provided for in Article 6.
 4. Each CMRS provider submitting a cost estimate by September 1, 1999, will be invited to make a presentation of its cost estimate before a subcommittee of the Virginia Wireless E-911 Services Board. The subcommittee shall consist of the chairman and the three local government Board members.

Notification

The Board shall notify each CMRS provider in writing of its eligibility for payment by September 30, 1999. Should the Board deny a CMRS provider's eligibility for payment, the Board shall set forth the reasons in writing. The CMRS provider shall have the opportunity to respond to issues raised by the Board and request reconsideration of the decision.

Each CMRS provider seeking payment under these guidelines shall promptly notify the Board of any material change that would affect its cost estimates and any material change in the projected schedules for Phase I requests.

Each CMRS provider shall maintain with the Chair current information on the authorized payee and mailing address for receipt of payments from the fund.

Each CMRS filing a cost estimate and receiving payments during FY 2000 pursuant to these guidelines must file statement of actual costs incurred during FY 2000 with the Board no later than September 1, 2000. Payments received in excess of the approved costs shall be refunded to the Board or credited to qualifying payments in subsequent years on such schedule as the Board may determine. For all CMRS's using capitation, subscriber counts as of the end of the payment year must be provided.

The Board reserves the right to adopt such amendments to these guidelines as may be necessary to implement Article 6.

CMRS Guidelines
Adopted May 18, 1999

This Cost Recovery Worksheet is to be submitted to the Committee in two tiers: Tier I represent each CMRS provider's monthly recurring costs (MRCs) for providing wireless E911 service. Tier Two of the plan shows the one-time, non-recurring costs (NRCs) incurred by each CMRS provider for preparing its network to deliver the service. The worksheet is a guideline. Each CMRS carrier shall add or delete categories of costs as necessary.

Attachment
Cost Recovery Worksheet

Notice: Costs must include adequate detail to support examination by the Board. Additional information should be attached to this form.

TIER I MRC	COST
Facilities; T-1s, selective router ports	
Database management	
Reporting	
Routing Charges	
Operations, including maintenance	
Engineering	
P-ANI administration	
Ongoing costs charge by telephone company for: Equipment _____ Facilities _____ Circuits _____ Services _____ Interconnections _____	
Staffing	
LEC maintenance of selective route connection	
Trunking costs	
Taxes (Specify)	

Attachment
Cost Recovery Worksheet

Notice: Costs must include adequate detail to support examination by the Board.
 Additional information should be attached to this form.

TIER 2 NRC

COST

LEC selective router costs of installation of trunking and facilities	
Solution provider costs	
Switch Upgrades	
Connection fee to 911 S/R (per DSO)	
R&D (Virginia portion)	
Network design (Virginia portion)	
Test plan development (Virginia portion), if any	
Software	
Any acquisition, construction, renovation of physical facilities	
Virginia specific planning, legal consultant, and Phase I implementation, costs and fees	
Trunking costs	
Taxes (Specify)	

Virginia Wireless E-911 Services Board

Guidelines for the Submission of Public Safety Answering Points (PSAP) Cost Estimates for the Fiscal Year beginning July 1, 1999 and ending June 30, 2000

Adopted March 23, 1999

Purpose:

These guidelines have been adopted by the Virginia Wireless E-911 Services Board (the Board) in accordance with Article 6, Chapter 15 of Title 56 of the *Code of Virginia*. The guidelines apply to public safety answering points (PSAP) and govern the submission of cost estimates for the fiscal year beginning on July 1, 1999 and ending June 30, 2000 (FY 2000). These guidelines will be superceded for all fiscal years beginning after June 30, 2000.

Guidelines for PSAP

A primary PSAP, defined as a PSAP which receives a wireless 911 call directly from a CMRS provider, must file a cost estimate developed in accordance with these guidelines no later than July 1, 1999 to qualify for payments from the Wireless E-911 Fund (the Fund) during FY 2000. Payments from the Fund, unless otherwise provided for in law, are limited under Article 6 to costs associated with the provision of enhanced 911 services as defined under Federal Communications Commission Order 94-102. The cost estimate shall include the following.

1. A letter of intent addressed to the Board and signed by an official of the county or municipality operating the PSAP stating that the PSAP has or intends to take such steps as may be necessary to exercise the right of the PSAP to request Phase I service from all CMRS providers serving the PSAP service area, and the date on which such Phase I is expected to be implemented. "Phase I service" refers to the provisions of the Federal Communications Commission Order 94-102. The letter shall include a proposed schedule for such actions as may be necessary on the part of the PSAP. The PSAP shall also include a listing of all CMRS providers known by the PSAP to be providing service in the PSAP service area and to which Phase I requests will be made. CMRS providers shall be copied on the letter of intent.
2. A completed worksheet detailing the estimated costs that are expected to be incurred during FY 2000, including those costs for PSAP customer premise equipment that may have been obligated but not paid for as of June 30, 1999. In the latter case documentation for the obligation must be included in the filing. The required worksheet is included in these guidelines.
3. Counts of actual calls received by the PSAP for a recent 12 month period distributed by total calls, total 911 calls and total wireless 911 calls, and estimates of calls expected to be received during FY 2000. A PSAP that does not have actual call counts may submit estimated calls for the most recent 12 months, the basis for the estimate, and evidence of its reasonableness.

4. Local exchange carrier costs included in the estimate must be required to provide wireless E-911 service and may include upgrades to the 911 tandem switches, upgrades to the ALI database, and trunk costs.
5. The cost estimate must specifically identify customer premise equipment and personnel that are dedicated, respectively, to 911 calls or wireless 911 calls. Payment for the cost of equipment and personnel dedicated to wireless 911 calls shall be made in full. Payment for costs of equipment and personnel used for shared services shall be made based on the following ratios:
 - for equipment used for all calls, the ratio of wireless 911 calls to all calls received by the equipment;
 - for equipment used for 911 and wireless 911 calls, the ratio of wireless 911 calls to all 911 calls received by the equipment;
 - for personnel used for all calls, the ratio of wireless 911 calls to all calls;
 - for personnel used for 911 and wireless 911 calls, the ratio of wireless 911 calls to all 911 calls.
6. Direct nonrecurring costs shall be authorized for payment to each PSAP based on the approved cost estimate. Approved direct recurring costs, including approved direct personnel costs, shall be authorized for payment from a date six months prior to the expected date of Phase I implementation as provided for in the PSAP letter of intent. For example, a PSAP which expects to implement on March 31, 2000 may receive payment for direct recurring costs from October 1, 1999. However, all cash payments based on the approved costs for FY 2000 shall be disbursed quarterly in installments equal to one-quarter of the total amount approved for the PSAP cost estimate for FY 2000.

Each PSAP filing a cost estimate and receiving payments during FY 2000 pursuant to these guidelines must file a statement of actual costs incurred during FY 2000 with the Board no later than September 1, 2000. Payments received in excess of the approved costs shall be refunded to the Board or credited to qualifying payments in subsequent years on such schedules as the Board may determine. Each PSAP participating in the FY 2000 program shall also be required to provide information on how actual call count volume varied from the information provided as part of the cost estimate. The Board strongly encourages each PSAP participating in the E-911 program to develop and maintain accurate and reliable information on total calls received, total 911 calls, and total wireless 911 calls received by the PSAP.

The Board reserves the right to adopt such amendments to these guidelines as may be necessary to implement Article 6.

Wireless E-911 PSAP Funding Request/Report Worksheet

PSAP: _____

Call load data:

Description	Estimated	Actual
Total telephone calls handled by PSAP		
Total 911 calls handled by PSAP		
Total wireless 911 calls handled by PSAP		

Customer Premise Equipment Costs:

Equipment only used for wireless E-911:

Description	Estimated Cost	Actual Cost

Equipment with shared use for wireless E-911:

<u>number of wireless 911 calls</u>	x	<i>Formula</i>	=	amount of funding
total number of calls handled by equipment		equipment cost		
	x	<i>Estimated</i>	=	
	x	<i>Actual</i>	=	

Local Exchange Carrier Costs:

Description	Estimated Cost	Actual Cost

Personnel Costs:

<u>number of wireless 911 calls</u>	x	<i>Formula</i>	=	amount of funding
total number of telephone calls		personnel cost of call takers and dispatcher		
	x	<i>Estimated</i>	=	
	x	<i>Actual</i>	=	